

Message Text

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INFO AMEMBASSY BOGOTA

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TAGS: PINT, CO

SUBJ: EFFECT OF ENDING OF COLOMBIAN STATE OF SEIGE ON CASES OF
AMERICANS DETAINED ON DRUG CHARGES.

1. ON JUNE 22, 1976, THE GOVERNMENT OF COLOMBIA TERMINATED THE
STATE OF SIEGE EFFECTIVE SINCE JUNE OF 1975. AS A RESULT, ALL
CASES OF AMERICAN CITIZENS DETAINED IN DRUG CHARGES BEFORE
MILITARY COURTS WILL PASS TO CIVILIAN JURISDICTION.

2.. IN CASES WHERE INDIVIDUALS HAVE ALREADY BEEN SENTENCED BY
LOWER MILITARY COURTS, INSTEAD OF THEIR CONVICTION AND SENTENCE
BEING REVIEWED BY THE SUPERIOR MILITARY COURT IN BOGOTA THEIR
CASES WILL PASS TO CALI'S SUPERIOR COURT (TRIBUNAL) FOR REVIEW.
NO CASE IN THIS CONSULAR DISTRICT HAS BEEN COMPLETED BY THE MILITARY
JUSTICE SYSTEM. THUS, ALL AMERICANS ARRESTED UNDER STATE
OF SEIGE REGULATIONS WILL HAVE THEIR CASES RETURNED TO THE
APPROPRIATE LEVEL OF CIVILIAN JURISDICTION.

3. CASES IN WHICH AN INITIAL DECISION HAS NOT BEEN MADE BY
MILITARY JUSTICE AUTHORITIES WILL BE DISTRIBUTED BY CALI'S
SUPERIOR COURT TO VARIOUS TRIAL COURTS WHICH WILL BEGIN TO
PROCESS THEM. SINCE THESE CASES MUST NOW GO THROUGH A STAGE
IN WHICH THE JUDGE FAMILIARIZES HIMSELF WITH THE FACTS OF THE CASE,
NEW DELAYS ARE EXPECTED BEFORE THERE CAN BE ANY VERDICT. THIS
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ADDITIONAL WAIT WILL BE PARTICULARLY FRUSTRATING SINCE MOST OF

THE CASES BEFORE THE MILITARY COURTS WERE VERY CLOSE TO A
DECISION.

4. POST WILL ADVISE DEPARTMENT OF SIGNIFICANT DEVELOPMENTS OF
INDIVIDUAL CASES.
KERR

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